

PACC Container Line Pte Ltd

(a subsidiary of PCL)

No. 1 Kim Seng Promenade

Great World City, #06 – 02,

Singapore 237994

Telephone : 67377655 Telefax : 68397010 / 020 / 030

Email : postfix@pacc.com.sg; bbops@pacc.com.sg

Website : www.pacc.com.sg



To:

Marine Enforcement

US Environmental Protection Agency

Statement on non compliance of US ECA requirements

We, the Charterers of mv PAC ATHENA, in view of her upcoming voyage to USA (Morehead City, Houston and New Orleans), had placed order and received Low Sulfur Fuel Oil (< 1%) for use in US ECA boundaries.

During bunkering we had taken representative sample for follow up analysis to confirm the bunker specifications. The lab (Maritec) test results indicated Sulfur Content of 1.08% which is out of spec.

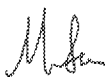
We informed the fuel supplier and requested for a joint test again using barge retained sample. This was carried out at another test lab (Geo-Chem). Result of this test to be binding.

Secondary test revealed Sulfur content of 1.07% which confirms bunker to be out of spec. Supplier had given us the pre-loading certificate showing compliant fuel. We had loaded two vessels (Pac Athena and Pac Acrux) with this fuel.

We and Master of vessel raised Letter of Protest to the bunker supplier – Golden Island. Through Maritec, we calculated the resultant mixture of newly bunkered Low Sulfur Fuel Oil and past fuel (last bunkered in USA) to be about 1.04% after mixing/blending.

We call at least two ports in USA twice a month (at least 100 port calls in USA a year) and have been proactively in meeting US ECA regulations with regards to using Low Sulfur fuel. Since this vessel would not be requiring LSFO in her next call (vessel will switch to LSMGO for next voyage to USA to meet 2015 regulations), we humbly request EPA and USCG to grant us a waiver to use the lowest Sulfur fuel available onboard until her exit of US ECA zone for this trip to USA.

As Charterers

Signature: 

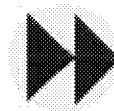


Capt Chaw Mun San

Operations Superintendent

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Certification Statement

I certify under penalty of law that the statements and information made herein are, to be best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines and imprisonment pursuant to 18 U.S.C. 1001

Attached appendixes:

- 1/ LOP from PACL for off spec LSFO,
- 2/LOP from Master of Pac Athena
- 3/COQ terminal cert for LSFO,
- 4/Initial test results
- 5/Secondary test results
- 6/BDN for LSFO
- 7/ Vessel voyage plan covering from entrance to exit of USA ECA zone
- 8/ List of contact information

As Charterers

Signature:

Capt Chaw Mun San
Operations Superintendent
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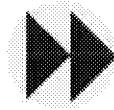
1/Charterer/Operator/Commercial Managers
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#06-02, Great World City,
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2/Owner /Tech Managers
PACCSHIP (UK) Limited
19 Buckingham Gate, 4th Floor
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3/ Agents at Morehead City (First US port)
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4/ Agents at Houston (Second US port)
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6/ Bunker supplier
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